

CLAIM REJECTIONS – 35 USC §102 and 103

Claims 1, 2, 3 and 9 of the present application have been rejected under 35 USC §102 over US 4,092,084 to Barltrop, while claims 6, 8, 10, 12 and 14 have been rejected under 35 USC §103(a) as being unpatentable over Barltrop in light of JPS52-0889998.

For the reasons discussed below, the applicant respectfully traverses this rejection and requests favourable reconsideration.

REMARKS

The examiner states at page 4 of the Office Action that Barltrop anticipates claim 1 because, allegedly, “Barltrop discloses an inner portion of the blade that is fixed relative to the reference plane” [e.g.. a plane horizontal to the ground] and that “since the tip of the blades define the rotating plane, this means the tip of the blades are always fixed to the rotating plane”.

As discussed in the interview with the examiner and demonstrated with models, it is believed that the foregoing argument was based upon a misunderstanding of the term “fixed” as used in the specification and claims, as well as an incomplete appreciation of the fact that the claims of the present invention specify that it is the PITCH ANGLE of a portion of the blade [e.g. the tip] that must be fixed relative to the rotating plane.

As discussed in the interview with the examiner, Barltrop disclosed two different types of rotors, namely the rotor of Barltrop’s invention shown in his Figs. 7 and 8, as well as an example of a prior art, fixed-pitch teetering rotor shown in his Figs. 1-3. As discussed with the examiner, it is in fact the prior art rotor of Figs 1-3 that bears the closest resemblance with the present invention in as much as such a rotor will in fact have a portion of the blade (the inner portion) that has a pitch angle fixed relative to the reference plane (which is not the case with Barltrop’s rotor). This prior art rotor does not anticipate